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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,421	06/05/2001	William P. Lord	US010280	5689

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EXAMINER

SHANNON, MICHAEL R

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,421

Applicant(s)

LORD, WILLIAM P

Examiner

Michael R Shannon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20020918.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Lortz (USPN 6,349,410), cited by examiner.

Regarding claim 1, the claimed “method for recording a television program broadcast by a TV broadcaster” is met as follows:

- The claimed step of “receiving a request to record said television program selected by a user” is met by the programming instructions to store the selected TV content in storage device 20 [col. 3, lines 10-21].
- The claimed step of “establishing a web connection to a web server of said TV broadcaster” is met by the attainment of the web content that the URL indicates through the Internet [col. 3, lines 58-65].
- The claimed step of “downloading the web content responsive to said television program” is met by the ability for the retrieved web pages to be stored on the storage device [col. 5, lines 63-65].

- The claimed step of “storing said television program selected by said user and said downloaded web content from said web server in a memory” is met by the storage device 20 and it’s ability to store TV content [col. 3, lines 44-47] and retrieved web pages [col. 5, lines 63-65].

Regarding claim 2, the claimed “step of replaying said stored television program and the web content responsive to said television program in a synchronized manner” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21] and the ability for the system to synchronize the display of web-sites to the display of TV content [col. 4, lines 24-28].

Regarding claim 3, the claimed “step of retrieving said stored television program and the corresponding said downloaded web content from said memory” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21].

Regarding claim 4, the claimed “storing step further comprises a step of synchronizing said television program selected by said user with the web content of said web server responsive to said television program” is met by the attainment and storage of web content indicated by the URL through the Internet connection [col. 3, lines 58-65] and displaying the web content according to the synchronized schedule of the TV content [col. 4, lines 24-28].

Regarding claim 5, the claimed “synchronization is achieved by time stamping said television program selected by said user and the web content that is responsive to said television program” is met by the idea of making a URL valid for a pre-determined

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amount of time and triggering the URL to display web content based on that valid URL time [col. 4, lines 24-28].

Regarding claim 6, the claimed "television program is received from the group consisting of cable, satellite, and antenna" is met by the discussion of the well-known methods for transmission [col. 3, lines 5-8].

Regarding claim 7, the claimed "TV broadcaster includes a proxy or unaffiliated entity providing an interactive capability between said user and said web server of said TV broadcaster" is met by the inherent interactivity of the Internet connection. The user can browse through links and interact with web-sites that have been chosen to be synchronized with the TV content [col. 4, lines 1-10].

Regarding claim 8, the claimed "method for providing a synchronized replay of a television program and the corresponding web content originated from a TV broadcaster's web server" is met as follows:

- The claimed step of "transmitting a request to record said television program via an input means" is met by the programming instructions to store the selected TV content in storage device 20 [col. 3, lines 10-21].
- The claimed step of "automatically establishing a web connection to said web server of said TV broadcaster" is met by the attainment of the web content that the URL indicates through the Internet [col. 3, lines 58-65].
- The claimed step of "storing said television program and the web content of said web server responsive to said television program in a synchronized

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manner in a memory” is met by the ability for the retrieved web pages to be stored on the storage device [col. 5, lines 63-65].

- The claimed step of “receiving a request to replay said stored television program via said input means” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21] and the ability for the system to synchronize the display of web-sites to the display of TV content [col. 4, lines 24-28].
- The claimed step of “replaying said stored television program and simultaneously displaying said stored web content that is responsive to said television program” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21] and the ability to simultaneously display TV content (on the primary television display) and web content (on the web pad) [col. 5, lines 40-43].

Regarding claim 9, the claimed “step of retrieving said stored television program and the corresponding said downloaded web content from said memory” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21].

Regarding claim 10, the claimed “synchronization is achieved by time stamping said television program selected by said user and the web content that is responsive to said television program” is met by the idea of making a URL valid for a pre-determined amount of time and triggering the URL to display web content based on that valid URL time [col. 4, lines 24-28].

Regarding claim 11, the claimed “television program is received from the group consisting of cable, satellite, and antenna” is met by the discussion of the well-known methods for transmission [col. 3, lines 5-8].

Regarding claim 12, the claimed “TV broadcaster includes a proxy or unaffiliated entity providing an interactive capability between said user and said web server of said TV broadcaster” is met by the inherent interactivity of the Internet connection. The user can browse through links and interact with web-sites that have been chosen to be synchronized with the TV content [col. 4, lines 1-10].

Regarding claim 13, the claimed “apparatus for providing a synchronized replay of a television program and the corresponding web content” is met as follows:

- The claimed “means for establishing a web connection to a web server displaying the corresponding web content” is met by the attainment of the web content that the URL indicates through the Internet [col. 3, lines 58-65].
- The claimed “means for recording said television program selected by a user” is met by the programming instructions to store the selected TV content in storage device 20 [col. 3, lines 10-21].
- The claimed “means for storing said television program selected by said user and the corresponding web content” is met by the storage device 20 and it’s ability to store broadcast TV content and web content [col. 3, lines 13-16].

- The claimed “means for reproducing said stored television program and the web content responsive to said television program in a synchronized manner” is met by the retrieval of the stored information from the storage device 20 [col. 3, lines 14-21] and the ability for the system to synchronize the display of web-sites to the display of TV content [col. 4, lines 24-28].
- The claimed “control means configured to receive a request to record said television program selected by said user, said control means controlling said recording means to initiate the recording of said television program and the web content that is responsive to said television program” is met by the remote control, discussed in column 3, lines 22-27, which serves to enable user selection and control of recording and replay of television content and web content. The recordings of television content and web content [col. 3, lines 13-16] can later be displayed via the TV or aforementioned web pad.

Regarding claim 14, the claimed “means for displaying said stored television program and the corresponding web content” is met by the Display 22 or web display 82.

Regarding claim 15, the claimed “means for synchronizing said television program selected by said user with the web content responsive to said television program” is met by the attainment and storage of web content indicated by the URL through the Internet connection [col. 3, lines 58-65] and displaying the web content according to the synchronized schedule of the TV content [col. 4, lines 24-28].

Regarding claim 16, the claimed "synchronization is achieved by time stamping said television program selected by said user and the web content responsive to said television program" is met by the idea of making a URL valid for a pre-determined amount of time and triggering the URL to display web content based on that valid URL time [col. 4, lines 24-28].

Regarding claim 17, the claimed "television program is received from the group consisting of cable, satellite, and antenna" is met by the discussion of the well-known methods for transmission [col. 3, lines 5-8].

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 18. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because of the following informalities:

Page 10, line 1 states "computer system 10", which does not exist and is in direct interference with PVR 10.

Appropriate correction is required.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hidary et al (USPN 5,778,181) discloses a system for synchronizing the display of Internet content to a video signal.

Throckmorton et al (USPN 5,818,441) discloses a system for simulating two-way connectivity in a one-way data stream for use to interact with TV programs.

Zigmond et al (USPN 6,571,392) discloses a system for retrieving URLs over the Internet and displaying them synchronously with TV broadcast content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon whose telephone number is (571) 272-7356. The examiner can normally be reached Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Alexandria, VA 22314

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(571) 272-2600**.

Michael R Shannon
Examiner
Art Unit 2614

Michael R Shannon
March 29, 2005



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600